



# City of Seattle

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Gregory J. Nickels, Mayor  
**Department of Design, Construction and Land Use**  
D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR  
OF THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

**Application Number:** 2205009  
**Applicant Name:** ARC Architects for Seattle Public Library  
**Address of Proposal:** 12501 28<sup>th</sup> Ave. NE

**SUMMARY OF PROPOSED ACTION**

Master use permit to establish use for future construction of a 2-story addition to an existing Seattle Public Library. Project includes 6,300 square feet of ground level library addition and 4,700 square feet of 2<sup>nd</sup> floor customer service offices. Parking to be provided for 62 vehicles in below-grade garage.

The following approvals are required:

SEPA - Environmental Determination  
(Chapter 25.05, Seattle Municipal Code (SMC))

Administrative Conditional Use Permit- to allow an institution which does not meet the development standards for Institutions in a multi-family zone (Seattle Municipal Code 23.45.122).

**SEPA DETERMINATION**

☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions\*

☐ DNS involving non-exempt grading or demolition or involving another agency with jurisdiction.

\*Notice of Early DNS was published on October 22, 2002

## **BACKGROUND DATA**

### **Property & Area Characteristics**

Located in the Lake City neighborhood at the north end of Seattle, the site lies at the northwest corner of NE 125<sup>th</sup> Street and 28<sup>th</sup> Avenue NE, approximately two blocks west of Lake City Way NE. The 38,683 square foot parcel, zoned Midrise (MR) multi-family residential, comprises the existing 8,300 square foot Lake City Branch Library.

Surrounding properties to the west, south and north are also zoned Midrise. Apartment buildings are located to the west and south. The Lake City Community Center lies adjacent to the north. Property to the east, across 28<sup>th</sup> Ave. NE, is zoned Neighborhood Commercial Three (NC3 65) with a height limit of 65 feet, and developed with a Bank of America branch. Property controlled by Bill Pierre Ford lies to the north of the branch bank.

### **Proposal**

The proposal consists of adding 6,300 square feet to the 9,000 square foot, existing historic landmark branch library and constructing a second floor of 4,700 square feet for a Neighborhood Service Center. To the north of the addition, a new civic plaza and below grade garage will replace the existing parking lot. The 22,000 square foot garage, extending below the library addition and the outdoor plaza and house, will house 62 vehicles. The garage, plaza and two-story building addition will be linked by a single elevator. The plaza will also connect to the adjacent Albert Davis Park and Lake City Community Center.

The addition on the north side of the existing structure lengthens the basic rectangular shape of the building. In elevation, the proposed east and west facades have brick at the base, continuing the material of the older structure topped with a vertical standing seam metal siding. At the northeast corner, an exterior stair case ascends along a straight run to the second floor offices. The north side comprises brick, metal balconies and generous glazing that overlook the plaza and community center. The addition subsumes a small portion of the original building that projected from the north elevation.

Institutions such as the proposed library are allowed outright if they meet the development standards of Code sections 23.45.092 through 23.45.102 (SMC 23.45.090). The existing building complies with some but not all of the development standards as follows:

**Table A:**

<b>Development Standard</b>	<b>Required</b>	<b>Provided</b>	<b>Modification</b>	<b>Existing</b>
Structure depth (23.45.094B)	65 % of lot (193.6')	194 ft.	.6 ft.	134 ft.

Since the proposed project varies from the development standards for institutions in multifamily zones, the proposed library is not allowed outright. The project is required to obtain an Administrative Conditional Use permit to modify development standards.

### **Landmark Preservation Board**

The existing library, designed by Jack Morse, is a Seattle historic landmark. Because Seattle Public Library is proposing both an addition and alterations to the building, the Department of

Neighborhoods, Landmark Preservation Board must issue a Certificate of Approval. The Landmarks Preservation Board held a pre-application review meeting on July 17, 2002. The Architectural Review Committee met on May 30, 2003 in which the members responded positively to the project and did not identify any outstanding landmarks concerns. At the earlier pre-application meeting, the Board emphasized the importance of preserving the courtyard entry. A Landmark Board approval of the Certificate of Approval must occur after this SEPA determination.

#### Public Comment

No comment letters were received during the public comment period which ended on November 13, 2002.

#### Seattle Design Commission

This proposal is subject to review by the Seattle Design Commission (SDC) because it is a City Facility (Seattle public branch library). The Commission, whose role is to advise the project designer in an effort to foster well-designed projects that are worthy of civic projects, referred the project review to the Landmarks Preservation Board (see notes above).

#### **ANALYSIS - ADMINISTRATIVE CONDITIONAL USE**

Section 23.45.122 of the Seattle Municipal Code provides that institutions which do not meet the development standards established in SMC 23.45.090 and outlined above may be permitted as an administrative conditional use subject to the requirements and conditioning considerations of the Section. The applicable criteria will be discussed below.

- A. Bulk and Siting. In order to accommodate the special needs of the proposed institution, and to better site the facility with respect to its surroundings, the Director may modify the applicable development standards for modulation, landscaping, provision of open space, and structure width, depth and setbacks. In determining whether to allow such modifications, the Director shall balance the needs of the institution against the compatibility of the proposed institution with the residential scale and character of the surrounding area.*

This project is based on a master plan that was previously approved by the Seattle Design Commission. It contains two developments: the expansion of the Lake City Branch Library and the design of an underground public parking garage with a public plaza above linking the library with the community center and adjacent park. The applicant requests modifications to City Land Use Code regulations governing structure depth.

The existing library is a one-story brick structure with Seattle landmark status. Since the project is a proposed expansion of the library, which must remain unchanged, the only feasible expansion is to build onto the north end where there is adequate land available. The addition will have a second floor, housing a Neighborhood Service Center. This two-story addition leaves room for public open space at the north end of the site.

To the north of the proposed expansion (the location of the library's current parking lot), a civic plaza above a garage will connect the library, neighborhood service center, community center and park.

The scale and character of the surrounding area consists of medium to large scale residential apartment buildings. The Midrise zoning allows for fairly dense, 60 foot high buildings. The nearby apartment buildings are generally 3 to 4 story. In addition to the residential scale and character, there are low to mid-scale, dense commercial corridors along NE 125<sup>th</sup> Street and Lake City Way NE.

*B. Dispersion Criterion*

The site presently contains a library use. The boundaries of the site are not expanding; therefore, this criterion does not apply.

*C. Noise.*

*The Director may condition the permit in order to mitigate potential noise problems. Measures to be used by the Director for this purpose include, but are not limited to the following: landscaping, sound barriers or fences, mounding or berming, adjustments to yards or the location of refuse storage areas, or parking development standards, design modification and fixing of hours for use of areas.*

Project drawings indicate that mechanical equipment, such as HVAC, will be located on the roof of the new structure and screened from sight. Because of the library's location in a residential zone, the City's Noise Code sets lower decibel thresholds in comparison to commercial zones; thereby necessitating the need to buffer any noise from the library's mechanical equipment. In light of that, it is not anticipated that the new library will impact the surrounding properties with regard to noise in that appropriate screening and buffering of mechanical equipment will be provided. No long term noise problems associated with the library and office uses are anticipated to occur as a result of the addition.

*D. Transportation Plan.*

*A transportation plan shall be required for proposed new institutions and for those institutions proposing expansions which are larger than four thousand (4,000) square feet of structure are and/or required to provide twenty (20) or more parking spaces.*

The principle arterial NE 125<sup>th</sup> Street connects the Lake City Library and its neighborhood to I-5 and other destinations to the west. 28<sup>th</sup> Avenue NE is a neighborhood collector that provides access to local commercial and residential land uses. A transportation study by Transportation Solutions, Inc., TSI, notes that traffic volumes are typically moderate in the vicinity with periods of congestion during peak commuting hours at nearby signalized intersections on NE 125<sup>th</sup> Street. At current trip generation rates based on Institute for Transportation Engineers (ITE) studies, the existing library generates approximately 486 daily and 64 PM peak hour trips. The Lake City Neighborhood Service Center is currently located on the north side of the Lake City Fire Station at 12707 30<sup>th</sup> Avenue NE, a few blocks from the library. All current programs with the exception of its food bank would relocate to the library site. It is estimated by TSI that the Service Center generates approximately 18 trips during the PM peak hour.

The library expansion and the relocation of the Neighborhood Service Center would result in an increase of 362 daily and 48 new PM peak hour trips to the local streets. The effect of this relatively low volume of new trips on traffic circulation and intersection operation is expected to be minor. The relocation of the Neighborhood Service Center would not add to traffic volumes on nearby arterials because current users and employees utilize the same road system. Northbound motorists on 28<sup>th</sup> Avenue NE making a left turn at the intersection of NE 125<sup>th</sup> St. and 28<sup>th</sup> Ave. NE would experience increased delay. Delays at other intersections would not likely be noticeable to the average motorist.

*The Director may condition a permit to mitigate potential traffic and parking problems.*

The proposed 62-stall parking garage would have 41 stalls allocated to the library, 11 for the Neighborhood Service Center, and ten for the Community Center immediately north of the site. This supply exceeds the City of Seattle code requirements for the respective land uses. Based on current observations the parking demand generated by the expanded library and relocated Neighborhood Service Center is estimated to be approximately 30 to 40 stalls. This demand would be easily accommodated by the proposed supply. No further conditions are warranted.

#### Public Welfare and Injury to Property in Vicinity

General provisions for conditional uses in multi-family zones (SMC 23.45.116) provide that a use may be approved, conditioned or denied based upon whether it meets the specific criteria set forth for the use and also “whether the use will be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.”

The existing use has been operating as a branch library at this site for many years. The expansion, as conditioned, will not be materially detrimental to the public welfare or injurious to property in the zone or vicinity.

### **DECISION - ADMINISTRATIVE CONDITIONAL USE**

Based on the information provided and analysis performed, and the Departments experience with similar cases, the ADMINISTRATIVE CONDITIONAL USE is **GRANTED**.

### **ANALYSIS - SEPA**

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated September 30, 2002 and annotated by the Department. The information in the checklist, supplemental information provided by the applicant, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 23.05.665) discusses the relationship between the City’s code/policies and environmental review. The Overview Policy states, in part, “Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation”. The Policies also discuss in SMC 23.05.665 D1-7, that in certain circumstances it may be appropriate to deny or mitigate a project

based on adverse environmental impacts. This may be specified otherwise in the policies for specific elements of the environment found in SMC 25.05.675. In consideration of these policies, a more detailed discussion of some of the potential impacts is appropriate.

### Short-term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulate from building activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by construction activities; potential soil erosion and potential disturbance to subsurface soils during grading, excavation, and general site work; increased traffic and demand for parking from construction equipment and personnel; conflict with normal pedestrian movement adjacent to the site; increased noise; and consumption of renewable and non-renewable resources.

Several adopted City codes and/or ordinances provide mitigation for some of the identified construction related impacts. Specifically these are: Stormwater, Grading and Drainage Control Code (grading, site excavation and soil erosion); Street Use Ordinance (watering streets to suppress dust, removal of debris, and obstruction of the pedestrian right-of-way). Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts, but impacts such as air quality and noise require further discussion and may require SEPA mitigation.

### Noise Impacts

Noise associated with construction of the building could adversely affect surrounding uses in the area, which include residential and commercial uses. Surrounding uses are likely to be adversely impacted by noise throughout the duration of construction activities. Due to the proximity of the project site to these residential uses, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted.

Grading, delivery and pouring of concrete and similar noisy activities will be prohibited on Saturdays and Sundays. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only the low noise impact work such as those listed below will be permitted on Saturdays from 9:00 A.M. to 5:00 P.M and on Sundays from 10:00 A.M. to 5:00 P.M.:

- A. Surveying and layout.
- B. Testing and tensioning P. T. (post tensioned) cables, requiring only hydraulic equipment (no cable cutting allowed).
- C. Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protection, water dams and heating equipment.

In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby properties, all other construction activities shall be limited to non-holiday weekdays between 7:30 A.M and 6:00 P.M.

### Air Quality

The Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality and will require permits for removal of asbestos (if any) during demolition. The owner and/or responsible party (ies) are required to comply with the PSCAA rules pertaining to demolition of projects with or without asbestos. This will ensure proper handling and disposal of asbestos, as well as demolition of structures without asbestos. No further SEPA conditioning is necessary.

### Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased bulk and scale on the site; increased traffic in the area and increased demand for parking; increased demand for public services and utilities; and increased light and glare; increased energy demand; increased ambient noise associated with increased human activity and vehicular movement.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Stormwater, Grading and Drainage Control Code which requires on site detention of stormwater with provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; the Seattle Building Code which provides prescriptive construction techniques and standards; and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long term long term impacts, although some impacts warrant further discussion and possible mitigation.

### Height, Bulk and Scale

The project is located in a Midrise zone which allows a maximum height of 60 feet. The proposed addition will reach a maximum height of about 26.5 feet which is substantially less than the zone height limit. The bulk of the building will exceed code standards for structure width and depth and modulation. However, the building and its addition will share a park-like setting with the adjacent community center, park and civic plaza. The neighborhood's height, bulk and scale impacts are discussed in further detail in the Administrative Conditional Use analysis. No further conditioning is required through SEPA.

### Parking

Refer to the transportation discussion under the Administrative Conditional Use analysis in this report. There is not expected to be a perceptible impact on parking in the neighborhood. The site is served by transit and with the addition of a parking garage there is sufficient parking. No SEPA conditioning is required.

### Historic Preservation

The library is a City of Seattle historic landmark and is protected by the Landmarks Preservation Ordinance which is administered by the Landmark Preservation Board. SEPA policy (SMC 25.05.675H) states that, “*For projects involving structures or sites which have been designated as historic landmarks, compliance with the Landmark Preservation Ordinance shall constitute compliance with the policy in subsection H2a above*”. Subsection H2a is the SEPA policy for Historic Preservation. The Board has reviewed the addition to the building through the certificate of approval process pursuant to the Landmark Preservation Ordinance. To ensure compatibility and to protect the historic library, SPL shall be required to obtain a Certificate of Approval for the addition prior to the issuance of the Master Use Permit.

### **DECISION - SEPA**

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 2c.
- [ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2c.

### **CONDITIONS -SEPA**

#### Prior to Issuance of Master Use Permit

1. Submit a Certificate of Approval from the Department of Neighborhoods.

#### During Construction

The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. If more than one street abuts the site, conditions shall be posted at each street. The conditions will be affixed to placards prepared by DCLU. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.

2. Grading, delivery and pouring of concrete and similar noisy activities will be prohibited on Saturdays and Sundays. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only the low noise impact work such as that listed below, will be permitted on Saturdays from 9:00 A.M. to 5:00 P.M and on Sundays from 10:00 A.M. to 5:00 P.M.:



- A. Surveying and layout.
  - B. Stacking the building with remote operating crane or fork lift.
  - C. Testing and tensioning P. T. (post tensioned) cables, requiring only hydraulic equipment (no cable cutting allowed).
  - D. Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protecting, water dams and heating equipment.
3. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby properties, all other construction activities shall be limited to non-holiday weekdays between 7:30 A.M and 6:00 P.M.

Hours on weekdays may be extended from 6:00 P.M. to 8:00 P.M. on a case by case basis. All evening work must be approved by DCLU prior to each occurrence.

Hours may be extended and/or specific types of construction activities may be permitted on a case by case basis by approval of the Land Use Planner prior to each occurrence.

Once the foundation work is completed and the structure is enclosed, interior construction may be done in compliance with the Noise Ordinance and would not be subject to the additional noise mitigating conditions.

Signature: \_\_\_\_\_ (signature on file) Date: August 4, 2003  
Bruce P. Rips, AICP, Urban Planner  
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